

01-0-1669

AN ORDINANCE  
BY

*Chela J. Fowler* *Michael R. ...* *J. ...*

AN ORDINANCE OF THE CITY OF ATLANTA, GEORGIA, TO PROVIDE FOR THE APPROVAL OF THE FINAL TERMS OF THE CITY OF ATLANTA TAX ALLOCATION BONDS (ATLANTIC STATION PROJECT), SERIES 2001, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$ \_\_\_\_\_ INCLUDING ANNUAL PRINCIPAL PAYMENTS, AGGREGATE PRINCIPAL AMOUNT AND INTEREST RATES PER ANNUM; AND FOR CERTAIN OTHER PURPOSES, ALL IN CONNECTION WITH THE ISSUANCE AND SALE OF THE FOREGOING DESCRIBED BONDS.

**WHEREAS**, the City of Atlanta, Georgia (the "City") is a municipal corporation of the State of Georgia and a "political subdivision" as defined in Chapter 44 of Title 36 of the Official Code of Georgia Annotated, as amended (the "Redevelopment Powers Law"); and

**WHEREAS**, the City is authorized pursuant to the Constitution of the State of Georgia and the various statutes of the State of Georgia, including specifically the Redevelopment Powers Law, to issue its tax allocation bonds in order to finance certain Redevelopment Costs, as defined in the Redevelopment Powers Law; and

**WHEREAS**, pursuant to Ordinance 01-0-1116 adopted on September 17, 2001 and approved by the Mayor on September 25, 2001, the City has authorized the issuance of the City's Tax Allocation Bonds (Atlantic Station Project), Series 2001 (the "Bonds");

**WHEREAS**, pursuant to Ordinance 01-\_\_\_\_\_ adopted on October 1, 2001 and approved by the Mayor on October \_\_, 2001, the City approved an increase in the not to exceed principal amount of the bonds from \$75,000,000 to \$85,000,000; and

**WHEREAS**, the Bonds have been offered for sale pursuant to the terms of a Limited Offering Memorandum, dated \_\_\_\_\_, 2001, and the Bonds have been bought by the initial purchasers thereof pursuant to a Purchase Contract, dated \_\_\_\_\_, 2001 among the City, A.G. Edwards & Sons, Inc., acting on behalf of itself and the underwriters named therein (the "Underwriters") and the purchasers thereof, and the aggregate principal amounts, annual principal payments (whether at maturity or through mandatory sinking fund redemption) and interest rates per annum have been finalized pursuant thereto; and

**WHEREAS**, the City desires to approve the final terms of the Bonds established pursuant to the Purchase Contract.

**NOW, THEREFORE**, be it ordained by the Council of the City of Atlanta, and it is hereby ordained by authority of the same, as follows:

**Section 1. Authority for Ordinance.** This Ordinance is adopted pursuant to the provisions of the Constitution and the laws of the State of Georgia.

**Section 2. Findings.** The City Council of the City hereby approves the terms of the Bonds as hereinafter provided:

\$ \_\_\_\_\_  
City of Atlanta Tax Allocation Bonds  
(Atlantic Station Project), Series 2001  
Maturity Schedule

Maturity Date                      Principal Amount                      Interest Rate

Sinking Fund Schedule

Series \_\_\_\_\_ Term Bonds due \_\_\_\_\_, \_\_\_\_\_

Year                                      Principal Amount

Series \_\_\_\_\_ Term Bonds due \_\_\_\_\_, \_\_\_\_\_

Year                                      Principal Amount

**Section 3. General Authority.** The proper officers, officials, agents and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions hereof and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with the issuance of the Bonds and in conformity with the purposes and intents of this Ordinance.

The Mayor and Clerk, or in their absence or incapacity, the Mayor Pro-Tem and Assistant Clerk, respectively, are hereby authorized and directed to prepare and furnish to the purchasers of the Bonds, when the Bonds are issued, certified copies of all the proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

**Section 4. Actions Approved and Confirmed.** All acts and doings of the officers of the City which are in conformity with the purposes and intents of this Ordinance are in all respects approved and confirmed.

**Section 5. Severability of Invalid Provision.** If any one or more of the agreements or provisions herein contained shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Bonds authorized hereunder.

**Section 6. Repealing Clause.** All ordinances or parts thereof of the City in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

**Section 7. Effective Date.** This Ordinance shall take effect immediately upon its adoption.

01-0-1669

(Do Not Write Above This Line)

An Ordinance by Councilmembers Cieta Winslow, Michael Bond, Vern McCarty, Debi Starries and Jim Maddox:

An Ordinance of the City of Atlanta, Georgia, to provide for the approval of the final terms of the City of Atlanta Tax Allocation Bonds (Atlantic Station Project), Series 2001, in the aggregate principal amount of \$\_\_\_\_\_ including, annual principal payments, aggregate principal amount and interest rates per annum; and for certain other purposes, all in connection with the issuance and sale of the foregoing described bonds.

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 12/1/01

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Members

Members

Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

MAYOR'S ACTION